UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1993/NGO/23
15 February 1993

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Forty-ninth session
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES

Written statement submitted by the International Federation of ACAT (Action of Christians for the Abolition of Torture), a non-governmental organization on the Roster

The Secretary-General has received the following written statement, which is distributed in accordance with Economic and Social Council resolution 1296 (XLIV).

[25 January 1993]

INCREASE IN THE USE OF TORTURE TO TERRORIZE THE POPULATION AND TO PREVENT THE ESTABLISHMENT OF A SOCIETY RUN ON DEMOCRATIC LINES

1. The International Federation of ACAT (Action of Christians for the Abolition of Torture) (IFACAT) through its 21 affiliated associations and groups in the process of formation, made representations to the authorities of 100 States in 1992 to denounce the systematic use of torture. The IFACAT observes that the practice of torture makes it possible to maintain a population in the grip of terror and to reject the establishment or restoration of democratic social life.

2. In this statement, the IFACAT draws attention to the following five situations:

A. Haiti

Torture, summary executions and disappearances are on the increase. The authorities, who took power in an irregular manner, fail to react. The perpetrators of this exactions go unpunished. The associations affiliated to IFACAT had to intervene on 89 occasions in 1992 in respect of arbitrary arrest (5,096 arbitrary arrests since September 1991), detention incommunicado, abduction, harassment and assault (2,171 persons injured by armed groups, extrajudicial execution (more than 1,870 executions). The climate of terror brought about or tolerated by the de facto authorities, is intended to paralyse the population which is calling for a return to legal and democratic methods.

B. Syria

Thousands of opponents of the Government are in detention, the majority since 1970, without charge or trial. Most have been or are tortured. For example, Dr. Nour Al Din Al Atassi, a surgeon, born in 1929, was arrested n November 1970. In April 1992, Dr. Atassi suffered a heart attack; he was refused permission to go abroad for treatment and this prohibition was lifted only at the last moment. Dr. Atassi died on 3 December 1992.

C. Turkey

The IFACAT had to intervene more than 93 times in the case of thousands of persons tortured or arbitrarily arrested and victims of extrajudicial execution or abduction. The IFACAT is informed of the exactions committed by the Kurdish Workers' Party (PKK) and has condemned them repeatedly. The IFACAT points out that the new Turkish Government has not kept the promise made a year ago to improve the human rights situation in Turkey. An unprecedented number of political murders, frequently committed with the participation of the security forces, are reported almost every day and the use of torture still appears to be just as prevalent.

D. Togo

Against the background of the serious difficulties encountered by Togo in its progress towards democracy, the increase in the number of violations of article 5 of the Universal Declaration of Human Rights of 1948 is creating a climate that seeks to terrorize the population into renouncing its democratic claims. The many examples which the IFACAT can cite include the arbitrary arrests of Corporal Nikabou-Bikagni, Mr. Godjin, relatives of Mr. Nikabou and the gendarme Akpossogna Yao. A large number of residences belonging to opponents of the President of the Republic as well as other buildings were attacked with plastic explosives. More than 100 people were summarily executed in the course of popular gatherings, "police checks", religious ceremonies, repression carried out against unarmed demonstrators between September and December 1992. Detailed information points to the systematic use of torture. The principals of these exactions are unpunished.

E. Peru

The forty-fourth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted, without a vote, resolution 1992/12 calling upon the Peruvian authorities to reopen the dialogue with representative political forces until institutional normalization is restored, human rights are fully respected and representative democracy is completely re-established. The promulgation of Decree-Law No. 25 475, of 7 May 1992, confers increased power on the police to hold any prisoner in custody, "incommunicado" and without the right to the assistance of a lawyer. Decree-Law No. 25 659, of 14 August 1992, suspends habeas corpus for the entire period of investigation by the police and the judiciary. It authorizes the military system of justice to try civilians charged with treason. Decree-Law No. 25 564, of 21 June 1992, declares that the minimum age for criminal liability in the case of terrorism is 15, and that the maximum penalty incurred may be life imprisonment. Although the Peruvian Government, by the elections of 22 November, moved forward along the road to "institutional normalization", the situation continues to give rise to serious concern.

3. For this reason, the IFACAT requests the Commission on Human Rights to appoint a special rapporteur on Peru. The IFACAT requests the Commission to take effective measures to bring to an end the serious infringements of the total ban on torture in these countries.